



Attorneys at Law

216 Lakeville Road  
Great Neck, New York 11020  
T 516.437.3400  
F 516.334.3000

500 Village Square Crossing, Suite 101  
Palm Beach Gardens, Florida 33410  
T 561.899.9999  
F 561.584.6434

Gary Rosen, Esq. | Admitted NY, FL, NJ, PA, GA  
Jared Rosen, Esq. | Admitted NY, FL, NJ  
Jaime Rosen, Esq. | Admitted NY, FL, NJ, CT  
Michael J. Noonan, Esq. | Admitted NY  
Joseph G. Noonan, Esq. | Admitted NY

October 28, 2020

**VIA ECF:**

Hon. Kenneth M. Karas  
The Hon. Charles L. Brieant Jr.  
Federal Building and United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601-4150

**RE: PRE-MOTION CONFERENCE LETTER FOR MOTION TO DISMISS  
LMREC III NOTE HOLDER, INC. V. HUDSON EFT LLC, ET.AL.  
CASE NO. 20-CV-5063(KMK)  
United States District Court for the Southern District of New York**

Dear Judge Karas:

We are the attorneys for Defendant Hudson EFT LLC, Defendant Guido Subotovsky, and Defendant Hugo Subotovsky (hereafter referred to as "Defendants") in the above entitled action.

**This letter is sent to your Honor on consent of Plaintiffs, Defendants (above) and Defendant Samuel Gaccione and Defendant William Clarke.**

A settlement conference was held yesterday before Judge Paul E. Davison. Judge Davison made a minute entry stating "Settlement conference held on 10/27/2020. The parties are directed to meet and confer to discuss settlement within one week of this order. Counsel shall file a joint letter by no later than 11/6/2020 advising the Court whether the parties wish to schedule an additional settlement conference."

Based on continued settlement discussions, the parties have agreed to adjourn the deadlines for submitting a motion to dismiss, subject to your Honor's approval.

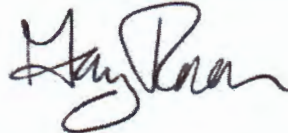
We respectfully request that the prior order for Defendants Guido Subotovsky, Hugo Subotovsky and Hudson EFT LLC, as well as the prior order for Defendants Samuel Gaccione and William Clarke to file motions to dismiss be modified and rescheduled as follows:

1. **Motions to dismiss by Defendants Guido Subotovsky, Hugo Subotovsky, Hudson EFT LLC, Samuel Gaccione and William Clarke motion to dismiss the amended complaint be filed on or before Monday, November 30, 2020;**
2. **Plaintiff's opposition papers to Defendants' motion to dismiss shall be filed on or before Tuesday, January 5, 2021;**
3. **Defendants' reply papers shall be filed on or before Tuesday, January 19, 2021.**

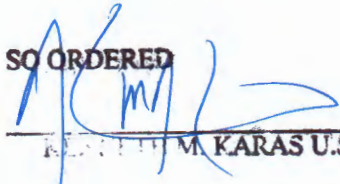
All discovery will proceed unmodified.

Thank you very much,

Respectfully submitted,



Gary Rosen

SO ORDERED  
  
\_\_\_\_\_  
KENNETH M. KARAS U.S.D.J.  
10/30/20